REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being cancelled.

Claims 1, 15 and 17-20 are currently being amended.

No claims are currently being added.

This amendment amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-12, 15-21 and 24 remain pending in this application.

Request for entry of this After-final Amendment and Reply:

Applicants respectfully request that this After-final Amendment and Reply be considered and entered, since it is believed to place this application in condition for allowance.

Claim Rejections – Prior Art:

In the final Office Action, claims 1-12, 17, 19 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,796,394 to Wicks in view of U.S. Patent No. 6,243, 739 to Schwartz; and claims 15, 16, 18, 20 and 21 were rejected under 35 U.S.C. § 102(e) as being anticipated by Schwartz. These rejections are traversed with respect to the presently pending claims, for at least the reasons given below.

In section (2) of the final Office Action, the Examiner incorrectly asserts that Schwartz discloses the limitations of the independent claim 1 in column 6, lines 41-44, column 5, lines 3-4, and column 6, lines 35-50, by interpreting the computer device 31 as the nearby computer (the claimed other computer device) and the device 11 as the portable terminal device.

However, this interpretation is incorrect, because column 6, lines 35-50 of Schwartz merely describes the conversion of the HDTP information into HTTP information or vice versa which is done by the computer device 31, which is interpreted as the nearby computer. In stark contrast to this, claim 1 is specifically directed to the portable terminal device and it is this portable terminal device that is required to carry out a prescribed processing for automatically setting the setup data or the input data in a form utilizable by the application program on the portable terminal device.

Moreover, the portable terminal device is required to execute the application program by using a result of the prescribed processing and being connected to the computer network, which is not the local network through which it is connected to the nearby computer. However, column 5, lines 3-4 of Schwartz merely describes that the device 11 waits for the computer device 31 to provide a requested hypermedia entity, which is not dependent on a result of the prescribed processing to be carried out by the portable terminal device, and which is only related to the data exchange with the nearby computer through the local network.

Thus, the final Office Action's interpretation of Schwartz is logically incompatible with the features specifically recited in claim 1.

As previously argued (in a previously-filed response), in the present invention, the other computer device (a note book PC, for example) already stores the setup data or input data (such as option data regarding network connection, option data regarding proxy server, Internet telephone number, email address, URL bookmark data, option data of word processor, etc.) for the application program (such as Web browser, Internet telephone, email handler, word processor, etc.) that is necessary or utilizable in operating an application program by being connected to the computer network (Internet, for example), so that this other computer device can operate the application program on the computer network by using the setup data or input data.

Then, the setup data or input data stored in the other computer device is uploaded into the portable terminal device (a portable telephone, for example) locally through a local network (LAN, for example), and then this data is automatically set into the portable terminal device without requiring any user operation using the user interface, in a form utilizable by the application program on the portable terminal device, such that subsequently the portable

terminal device can operate the application program on a global computer network by using the setup data or input data (see page 33, line 30 to page 35, line 29 of the present specification).

In other words, the setup data or input data of the application program that is to be used by the portable terminal device on the global network is locally uploaded from a nearby computer and automatically set into the portable terminal device without requiring any user operation using the user interface.

Because of these features, it is possible to realize an improvement of handling of a user interface or omission of tedious operations in a portable terminal device which has a function for connecting to a prescribed computer network and a function for executing application programs but which is also associated with a poor handling of a user interface because of its compact or very compact body size (see page 4, lines 17-26 and page 34, lines 23 to page 35, line 17 of the present specification).

The final Office Action correctly recognizes that Wicks fails to teach the claimed processing unit, but then incorrectly asserts that this feature is disclosed in column 6, lines 35-44 of Schwartz.

However, in column 6, lines 35-44, Schwartz merely discloses that the computer device 31 receives hypermedia information from the server 51, translates the HTTP information into the HDTP information, and sends the result to the remote device 11, or vice versa. In other words, the computer device 31 (corresponding to the claimed other computer device) is merely converting hypermedia information from one protocol to another and relaying it between the server and the remote device.

It is apparent that Schwartz fails to disclose any teaching for locally uploading the setup data or input data of the application program from a nearby computer into the portable terminal device via a local network. It is also apparent that Schwartz fails to disclose any teaching for automatically setting this setup data or input data into the portable terminal device without requiring any user operation requiring any user operation using the user interface.

Note also that, in the claimed invention, the uploaded data is data as stored in the nearby computer, and the conversion of the uploaded data into a form utilizable by the application program on the portable terminal, device is carried out by the processing unit of

the portable terminal device, in clear contrast to Schwartz's remote device which does not carry out any such data conversion itself.

Thus, Wicks and Schwartz fail to teach or suggest anything corresponding to the claimed processing unit, and therefore presently pending independent claims 1, 17 and 19 are patentable over the combination of those two references.

The same argument also applies to the dependent claims 2-12 and 24.

Next, regarding claims 15, 18 and 20 which are directed to the computer device to be used as a nearby computer that supports a portable terminal device of claim 1, the final Office Action incorrectly asserts that the claimed processing unit is disclosed in column 6, lines 35-44 of Schwartz.

However, as already pointed out above, in column 6, lines 35-44, Schwartz merely discloses that the computer device 31 receives hypermedia information from the server 51, translates the HTTP information into the HDTP information, and sends the result to the remote device 11, or vice versa. In other words, the computer device 31 (corresponding to the claimed computer device) is merely converting hypermedia information from one protocol to another and relaying it between the server and the remote device.

It is apparent that Schwartz fails to disclose any teaching for returning a reply containing a prescribed information related to the specified type of application program that is setup data or input data of the application program stored in the computer device, via the local network, such that the setup data or input data can be uploaded via the local network and automatically set into the portable terminal device without requiring any user operation using a user interface, in a form utilizable by the application program on the portable terminal device.

Thus, Schwartz fails to disclose anything corresponding to the claimed processing unit, and therefore Schwartz cannot anticipate presently pending independent claims 15, 18 and 20.

The same argument also applies to the dependent claim 16 and 21.

Conclusion:

In conclusion, the final Office Action's rejections based on Schwartz alone and based on Wicks and Schwartz are incorrect, and all of the presently pending claims are patentably distinct over the prior art of record.

Accordingly, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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